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MAY 14 2025

CLERK, U.S. DISTRICT COURT
MINNEAPOLIS, MINNESOTA

9 UNITED STATES DISTRICT COURT
10 FOR THE DISTRICT OF MINNESOTA
11

12 Steve Salvador Ybarra
13 Self-Represented
14 Pro Se Litigant,

15 Plaintiff,

16 v.

17 Legal Assistance of Dakota County;
18 Sharon Jones Esq., in her Individual and
19 Official capacities;
20 Hon. David Lutz, in his individual and
21 Official capacities;
22 Hon. Tanya Obrien, in her individual and
23 official capacities;
24 Hon. Dannia L Edwards, in her individual
25 and official capacities;
26 Lydia Clemens, in her individual and
27 official capacities;
28 Michelle Cathleen Ybarra,

Defendants.

No. . 0:25-cv-01948-KMM-DJF

**NOTICE OF CONFLICT AND MOTION
FOR FEDERAL OVERSIGHT**

**(Judicial Bias, Structural Entrenchment, and
Continued Pattern Under Color of Law)**

TO THE HONORABLE COURT:

Plaintiff Steve Salvador Ybarra hereby files this Notice and respectfully moves this Court for immediate federal oversight pursuant to 28 U.S.C. § 1651 (All Writs Act), 28 U.S.C. § 636(b)(1), and the Court's inherent authority to protect the integrity of its jurisdiction and prevent

SCANNED

MAY 14 2025

U.S. DISTRICT COURT MPLS

the continuation of a structurally tainted state proceeding. This Motion arises from newly documented conflict of interest and institutional coordination between:

- **Judge David Lutz**, a sitting state trial court judge and named Defendant in this action;
- **Legal Assistance of Dakota County (LADC)**, a federally funded entity accused of ghostwriting fraudulent affidavits, obstructing discovery, and laundering perjured evidence;
- and now, **Assistant Attorney General Jeff Timmerman**, who formerly served as Dakota County's Assistant County Attorney and Deputy Director of Employee Relations and is now appearing on behalf of the judicial defendants.

This is not merely an appearance of bias—it is a direct, traceable conflict of interest under *Caperton v. A.T. Massey Coal Co.*, 556 U.S. 868 (2009), and a deliberate move by the Minnesota Attorney General's Office to preserve a corrupt framework by installing **its own architect as defense counsel**.

I. FACTUAL BASIS FOR FEDERAL INTERVENTION

On or about May 13, 2025, Plaintiff was notified that Assistant Attorney General **Jeff Timmerman** had entered an appearance on behalf of judicial Defendants, including Hon. David Lutz, Tanya O'Brien, and Dannia Edwards. Mr. Timmerman's background includes:

- Serving as **Assistant Dakota County Attorney (2014–2019)**;
- Serving as **Deputy Director of Employee Relations for Dakota County (2019–2022)**;
- Mr. Timmerman's tenure as Assistant Dakota County Attorney (2014–2019) and Deputy Director of Employee Relations (2019–2022) placed him in a position of direct oversight and institutional knowledge of the same legal aid networks, Guardian ad Litem programs, and CPS enforcement mechanisms now implicated in Plaintiff's federal action.

While Plaintiff's specific custody litigation began in 2024, the **personnel structures, policy protocols, and institutional actors at issue were shaped, staffed, and protected under Mr. Timmerman's prior authority**—including Legal Assistance of Dakota County, the First Judicial District GAL Program, and Dakota County Child Protection Services.

His entry into this litigation as defense counsel now creates not only the appearance of impropriety, but a genuine and disqualifying conflict of interest.

- Participating in the very institutional structure now under federal scrutiny for systemic civil rights violations, including but not limited to:
 - Sealed protective orders shielding financial fraud;
 - GAL recommendations based on recanted CPS reports;
 - Ex parte deprivation of parental rights;
 - Judicial refusal to adjudicate Rule 60.02(d) fraud claims;
 - And retaliatory suppression of constitutional objections.

II. THE “ENTERPRISE DEFENSE” — A COLLAPSING WALL OF SILENCE

Rather than disqualify itself or submit the matter to an independent forum, the State of Minnesota has escalated its defense by installing **an institutional insider**—not an independent litigator—as counsel for the judiciary.

The Court is now faced with a **doctrinally intolerable configuration**:

- A judge (David Lutz) refuses to recuse himself despite a documented past with LADC;
- A Guardian ad Litem (Lydia Clemens) relies on rescinded child protection findings to impose parental deprivation;
- A public interest attorney (Sharon Jones) ghostwrites sealed declarations while evading discovery; and
- A state-level executive officer (Timmerman), who **previously helped manage the very infrastructure** now under federal RICO, civil rights, and fraud investigation, is now defending it.

The **integrity of this forum is now endangered**. The constitutional rights of the Plaintiff, a Hispanic pro se civil rights litigant and father, are at risk of being obliterated not through law but through **coordinated, retaliatory preservation of a collapsing system**.

III. LEGAL STANDARD AND JURISDICTIONAL INVOCATION

This Court has both the **authority and the duty** to intervene under:

- **28 U.S.C. § 1651**: To issue “all writs necessary or appropriate” to protect the Court’s jurisdiction;
- **42 U.S.C. § 1983**: To redress deprivation of constitutional rights under color of law;
- **Caperton v. A.T. Massey Coal Co., 556 U.S. 868 (2009)**: To prevent judicial proceedings tainted by conflict and favoritism;
- **Pulliam v. Allen, 466 U.S. 522 (1984)**: To enjoin state court officers who are violating federal rights;
- **Hazel-Atlas Glass Co. v. Hartford-Empire Co., 322 U.S. 238 (1944)**: To void outcomes rooted in fraud upon the court;
- **In re Murchison, 349 U.S. 133 (1955)**: To void proceedings before a judge who cannot be impartial.

IV. RELIEF REQUESTED

Plaintiff respectfully requests that this Court:

1. **Take Judicial Notice** of the conflict-of-interest created by the entry of Assistant Attorney General Jeff Timmerman as counsel for the judicial defendants;
2. **Order Supplemental Oversight** over any state action in Dakota County Family Court Case No. 19AV-FA-24-839 that affects Plaintiff’s custodial rights or constitutional claims;
3. **Issue a Show Cause Order** requiring Defendants to explain how the involvement of former Dakota County leadership in the defense of the alleged judicial misconduct does not violate Plaintiff’s Fourteenth Amendment rights to an impartial forum;
4. **Refer this matter to the DOJ Civil Rights Division and U.S. Attorney for the District of Minnesota** for potential criminal investigation under 18 U.S.C. §§ 1503 (obstruction), 1346 (honest services fraud), and 241 (conspiracy against rights).

1
2 **V. CONCLUSION**

3 This is not a custody dispute. This is not pro se noise.

4 This is a federal confrontation with **a self-preserving judicial enterprise that appointed its own**
5 **architect to cover the cracks in the foundation.**

6 The Court has the power. It now has the record.

7 Plaintiff respectfully demands that it now exercise the Constitution.

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10 Respectfully submitted,

11 **/s/ Steve Salvador Ybarra**

12 Steve Salvador Ybarra

13 Pro Se Litigant

14 California | Minnesota

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18 **CERTIFICATE OF SERVICE**

19 I hereby certify that on **May 13, 2025**, I served a true and correct copy of the attached:
20 **NOTICE OF CONFLICT AND MOTION FOR FEDERAL OVERSIGHT**
21 **(Judicial Bias, Structural Entrenchment, and Continued Pattern Under Color of Law)**
22
23

24 upon the following parties by email and/or U.S. Mail:

- 25 • **Legal Assistance of Dakota County**

26 Email: admin@dakotalegal.org

- 27 • **Sharon Jones, Esq.**, in her individual and official capacities

28 Legal Assistance of Dakota County

Email: sjones@dakotalegal.org

- **Hon. David Lutz**, in his individual and official capacities

Dakota County District Court

1560 Highway 55, Hastings, MN 55033

Email: Raymond.mestad@courts.state.mn.us

- **Hon. Tanya O'Brien**, in her individual and official capacities

Dakota County District Court

1560 Highway 55, Hastings, MN 55033

Email:

- **Hon. Dannia L. Edwards**, in her individual and official capacities

Dakota County District Court

1560 Highway 55, Hastings, MN 55033

Email:

- **Lydia Clemens**, Guardian ad Litem, in her individual and official capacities

First Judicial District GAL Program

Email: Lydia.clemens@courts.state.mn.us

- **Michelle Cathleen Ybarra**, Respondent

Email: shellbell@hotmail.com

This notice was served to all named parties via email where available and U.S. Mail where necessary, consistent with Fed. R. Civ. P. 5(b) and Local Rule 7.1.

Respectfully submitted,

/s/ **Steve Salvador Ybarra**

Pro Se Litigant

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Executed May 12, 2025